

Comments

CVRWQCB

Tuesday, September 19, 2006

Related to Development of Draft Basin Action Plan for Mercury TMDL

My name is David Widell and I am the Director of Conservation Policy for Ducks Unlimited. I would like to thank the board for hosting this workshop and providing all of us the opportunity to comment.

As you may be aware, Ducks Unlimited maintains nearly 1,000,000 supporters who now make up the largest wetland and waterfowl conservation organization in the world. Since our inception, DU has conserved more than 11 million acres of wildlife habitat in the U.S., Canada, and Mexico. Ducks Unlimited has a simple and focused mission: "To conserve, restore and manage wetlands and associated habitats for North America's waterfowl." Given this mission, it is understandable that DU has a strong interest in any action that may interfere with the public's clear interest in bringing back our endangered wetland base. We believe the issue you are considering today may well have such an effect if not balanced with the long-planned wetland restoration objectives of a multitude of state and federal agencies and private landowners.

While we will soon be providing specific comments to the Draft Basin Plan Amendment, I would like to make the following brief points:

- Mercury is a pollutant that the ecosystem has sustained for 150 years. The question is not whether or not there is a problem; but rather how to address the issue. Simply asked, is the point source control model of TMDL's and Basin Plans effective for a non-point source pollutant?

- How likely attainable are the goals of the basin plan? Currently, there are no known, effective mercury reduction techniques for non-point source methyl mercury;
- The Amendment calls for a Characterization and Control phase from 2007-2014. Since it's our understanding that little is known about methyl mercury control, we believe this phase should be postponed until after Calfed has had the opportunity to summarize its \$30 million worth of research on mercury. As the academic results from this research will not be available to the public for at least one year after completion of the studies, it will likely take landowners and managers at least that long to design and identify funding for a thoughtful and targeted monitoring program;
- The Central Valley Joint Venture, a multi-organization partnership including Ducks Unlimited, Defenders of Wildlife, National Audubon, California Waterfowl Association, Trust for Public Lands, Fish and Game, Wildlife Conservation Board, Fish and Wildlife Service and others, have recently published their updated Implementation Plan which identifies specific wetland restoration and enhancement goals within key Central Valley Basins. You should be aware that the Plan specifically identifies a 5,000-acre wetland restoration goal within the Delta, including projects on the Cosumnes River Preserve, Stone Lakes, Yolo Wildlife Area and Staten Island. The proposed thirty-mile "buffer" would stretch from Sutter National Wildlife Refuge to the Grasslands of Merced County, and would include areas targeted for additional restoration, including Mapes and Faith Ranch (the Lyons and Gallo families, respectively) and the San Joaquin River Refuge. In total, nearly 45,000 targeted restoration acres

identified by the Joint Venture within these areas could be impacted by the Draft Basin Plan.

- We believe it is important that the Regional Board help establish policy that ensures efforts to address mercury that do not inappropriately inhibit other activities that benefit the public, such as wetland restoration, agriculture and flood management. In this regard, we believe that the Board should first look to flexible approaches, such as offset programs, that can and should be immediately pursued.
- We strongly believe that the mercury issue is a state and federal responsibility and thus public funding is appropriate to address mercury monitoring and remediation. Requiring current landowners to pay for the costs associated with legacy pollutants is simply unfair, and will do more harm than good by discouraging landowners to consider habitat as an alternative land-use.

Thank you for the opportunity to comment.